



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JHK:DCL

*610 Federal Plaza  
Central Islip, New York 11722*

February 1, 2017

Honorable Joseph F. Bianco  
United States District Judge  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

Re: United States v. Kenner and Constantine  
No. CR-13-607 (S-2) (JFB)

Dear Judge Bianco:

This letter is respectfully submitted in response to the Court's direction that the government review all productions by non-party Diamante Cabo San Lucas, LLC ("DCSL") to the government pursuant to the Protective Order (Docket Entry 330) to determine if there is Brady material contained therein.

The government has not identified any Brady material contained in the DCSL productions. However, as the Court may recall, during the forfeiture proceedings, the government introduced evidence regarding Diamante Del Mar ("DDM") and a loan from KSI Capital. DCSL provided to the government documents related to a lawsuit between KSI Capital and DDM brought in the United States District Court, District of New Jersey. To the extent that the settlement agreement has a potential bearing on the forfeiture proceeding, the government will provide the settlement agreement to counsel for the defendants.

Respectfully submitted,

ROBERT L. CAPERS  
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